

7.300 TELEPHONE NUMBER RESOURCE USE AND ADMINISTRATION**7.301 Definitions**

- A. End user: a person or entity who initiates a telephone call.
- B. N11 code: any one of the three-digit dialing codes in the form N11 unavailable under the North American Numbering Plan for assignment as area codes or central office codes and used to connect end users to special services where N is a digit between 2 and 9, inclusive.
- C. N11 service manager: an entity, other than a telephone company, responsible for operational oversight of a service to which end users connect when calling an N11 code.
- D. Telephone company: a person or company offering a telecommunications service as defined in Title 30 V.S.A. that uses telephone numbers.

7.302 Abbreviated Dialing Codes

The purpose of this Rule is to ensure the efficient use of limited abbreviated dialing code resources and to encourage the development of abbreviated dialing code services that are of high quality and that provide a consistent performance to end users regardless of the end user's telephone company.

An N11 service manager may be designated for any N11 code not actively in use or reserved by the Federal Communications Commission for use by telephone companies. The terms of any designation under this Rule shall be consistent with the terms of any assignment or designation by the Federal Communications Commission.

- A. Completion of calls made to N11 codes. All telephone companies not exempted by state or federal law shall complete calls made by end users to any N11 code for which an N11 service manager for the code has been designated under this Rule.
- B. Charges to end users. No telephone company may charge an end user for placing a call to an N11 service, except as otherwise provided in federal law, or as otherwise authorized by the Public Service Board. Except as otherwise provided in federal law, the Public Service Board may determine end-user charges for placing a call to an N11 service.

7.303 Designation of N11 service managers for N11 codes

- A. An entity may seek designation as an N11 service manager for an N11 code under this section, provided that the N11 code does not otherwise have an N11 service manager specifically designated under state or federal law for the geographic area proposed to be served.
- B. Each geographic area shall have one N11 service manager per N11 code. The geographic area may be the entire state of Vermont, or upon good cause shown, one or more subdivisions. The geographic area in which each N11 service manager provides service shall be determined by the Public Service Board at the time the N11 service manager is designated. Except upon good cause shown, calls shall not be routed to areas smaller than, or with boundaries inconsistent with, existing exchange boundaries or wireless coverage areas.

- C. Petition form and content. An entity seeking designation under this Rule as an N11 service manager shall file a petition with the Public Service Board. The petition shall identify the N11 code and the proposed geographic area coverage, and shall describe the use intended for the code by the proposed N11 service manager. The petition shall include the following additional information and shall demonstrate that the petitioner will meet the following standards:
- (1) a description of the organizational structure and management of N11 service manager along with the N11 service manager's articles of association and bylaws, if any;
 - (2) evidence of sufficient technical and managerial expertise to administer the service;
 - (3) evidence of a sufficient and stable source of funding;
 - (4) a proposed implementation date that affords affected entities sufficient time to undertake necessary implementation arrangements;
 - (5) a plan for coordination of services with other active and future N11 service managers operating in the proposed and neighboring geographic coverage areas, which plan demonstrates that the proposal will not cause any undue technical difficulty for telephone companies;
 - (6) a plan for public education about the use of the N11 code sufficient to assure that the proposed use will not cause customer confusion;
 - (7) a technical proposal consistent with the provisions of Section 7.303 B for routing N11 calls;
 - (8) a proposal for the mechanism, if any, by which telephone companies will or may recover costs associated with the N11 service;
 - (9) an operational plan for ensuring availability of the N11 service 24 hours per day, 7 days per week or an explanation of why a lesser level of availability is appropriate;
 - (10) a service quality proposal which shall include the standards, if any, by which the N11 service manager's performance will be determined, the means by which performance regarding those standards will be measured, and a method by which the performance will be reported;
 - (11) if the N11 code in question currently has an N11 service manager, an explanation of the justification for changing N11 service manager designation and an administration transition plan;
 - (12) other information showing that the proposal must be practical, cost-effective and consistent with the public interest.
- D. Service of petition. The petitioner shall provide a copy of the petition to the Department of Public Service, the Vermont Enhanced-911 Board, all other N11 service managers designated to provide service within the area the petitioner proposes to serve or in a neighboring area within Vermont, all local exchange carriers certified to provide service within the area the petitioner proposes to serve, and all commercial mobile radio service providers certified to provide service within the area the petitioner proposes to serve. Along with each copy of the petition, the petitioner shall provide a list of the persons served under this paragraph.
- E. Order. After notice and opportunity for hearing, the Public Service Board shall issue an order accepting, conditionally accepting, or rejecting the petition.
- F. Provisional designation. If the Public Service Board finds that provisional designation of an N11 service manager will promote the planning and development of an N11 service in

the public interest, the Public Service Board may provisionally designate the petitioner as the N11 service manager. This designation shall be for a fixed period of time. An entity seeking provisional designation as an N11 service manager shall file a petition with the Public Service Board. The petition shall identify the N11 code and the proposed geographic area coverage, and shall describe the use intended for the code. The petition must also include information sufficient to demonstrate compliance, to the extent practicable, with the standards described in 7.303 C.

- (1) Telephone companies shall not be obliged to complete N11 calls to an entity because it has received provisional N11 service manager status, but shall make good-faith efforts promptly to provide provisional N11 service manager's information necessary for planning an N11 call routing and answering system.
- (2) A provisional N11 service manager may submit a new petition for recognition as a non-provisional N11 service manager at any time, or may request an extension of provisional status.

G. Reporting and evaluation. In an order granting a provisional or non-provisional designation as an N11 service manager, the Public Service Board may require a periodic report by the N11 service manager, and may specify a process for evaluating the performance of the N11 service manager.

H. Term and revocation of designation.

- (1) The term of a non-provisional N11 service manager designation shall be indefinite unless expressly limited by the Public Service Board. Designation as an N11 service manager may not be transferred to a successor without prior Public Service Board approval.
- (2) Upon its own motion or upon the petition of the Department of Public Service or an entity or person adversely affected by an N11 service manager's performance, the Public Service Board may after notice and opportunity for hearing revoke or suspend its designation of an N11 service manager, or may impose additional conditions on continued designation for failure to adequately administer its N11 code, for failure to comply with conditions of its designation, or if the Public Service Board determines that taking such actions serve the public good of the state.
- (3) The burden of proof in a revocation hearing is on the party seeking the revocation or suspension; the standard of proof is the preponderance of the evidence.